

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN

AARON A. TREDENICK,

Plaintiff,

Hon. Paul L. Maloney

v.

Case No. 1:23-cv-785

NATIONWIDE AGRIBUSINESS  
INSURANCE COMPANY,

Defendant.

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**ORDER DENYING LEAVE TO PROCEED  
IN FORMA PAUPERIS ON APPEAL**

On April 4, 2025, the Court issued an order adopting the Report and Recommendation of the magistrate judge, granting Defendant's motion for summary judgment and terming the case. (ECF Nos. 87, 88.) Pro Se Plaintiff Aaron TreDenick now has filed a notice of appeal and seeks leave to proceed *in forma pauperis* on appeal. (ECF No. 89.)

A non-prisoner desiring to proceed on appeal *in forma pauperis* must obtain pauper status under Federal Rule of Appellate Procedure 24(a). *See Callihan v. Schneider*, 178 F.3d 800, 803–04 (6th Cir.1999). Rule 24(a) provides that if a party seeks pauper status on appeal, he must first file a motion in the district court, along with a supporting affidavit. Fed. R. App. P. 24(a)(1). However, Rule 24(a) also provides that if the district court certifies that an appeal would not be taken in good faith, or otherwise denies leave to appeal *in forma pauperis*, the party must file his motion to proceed *in forma pauperis* in the Court of Appeals. Fed. R. App. P. 24(a)(4)-(5); *see also* 28 U.S.C. § 1915(a)(3) (providing that “[a]n appeal may not be taken *in forma pauperis* if the trial court certifies in writing that it is not taken in good faith”).

Good faith is judged objectively, *see Coppedge v. United States*, 369 U.S. 438, 445 (1961), and an appeal is not taken in good faith if the issue presented is frivolous, defined as lacking an arguable basis either in fact or law. *See Dellis v. Corr. Corp. of Am.*, 257 F.3d 508, 511 (6th Cir. 2001). Detailed reasons

for dismissal of the amended complaint were provided in the March 20, 2025, Amended Report and Recommendation. (ECF No. 84.) The Court reaffirms its decision and finds that the issues on which Plaintiff might seek review are frivolous.

The Court, therefore, certifies that the appeal is not taken in good faith.

IT IS ORDERED that Plaintiff's motion for leave to proceed *in forma pauperis* on appeal (ECF No. 89) is DENIED. If Plaintiff wishes to proceed with his appeal, he must pay the \$605.00 appellate fee to the Clerk of this Court within 28 days of this order. See 28 U.S.C. §§ 1913, 1917; 6 Cir. I.O.P. 3; Court of Appeals Miscellaneous Fee Schedule § 1 (Dec. 1, 2023). Alternatively, Plaintiff may file a motion for leave to proceed *in forma pauperis* in the Court of Appeals pursuant to the requirement set forth in Fed. R. App. P. 24(a)(5).

IT IS SO ORDERED.

Dated: May 7, 2025

/s/ Paul L. Maloney  
Paul L. Maloney  
United States District Judge